



# CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

411 West Ocean Blvd., 3rd Floor, Long Beach, CA 90802 Phone: 562-570-6194

September 5, 2019

## CHAIR AND PLANNING COMMISSIONERS

City of Long Beach  
California

### RECOMMENDATION:

Accept Categorical Exemption CE-19-151 and approve a Conditional Use Permit and a Local Coastal Development Permit to allow the sale of beer and wine for on-site consumption within an existing building where a tenant improvement is in progress for a restaurant located at 6420 E. Pacific Coast Highway, Suite C-100 within the Southeast Area Development and Improvement Plan (PD-1) Zoning District. (District 3)

APPLICANT: Tocaya Organica LLC, Jillian O'Connor  
8720 West Sunset Blvd.  
West Hollywood, CA 90069  
(Application 1905-26)

### DISCUSSION

The project site is located on the northeastern corner of 2<sup>nd</sup> Street and Pacific Coast Highway (Exhibit A - Vicinity Map). The 2<sup>nd</sup> and PCH commercial center is located on the southwest corner of 2<sup>nd</sup> St. and PCH (Exhibit A - Vicinity Map). The site is located within the Southeast Area Development and Improvement Plan (SEADIP) (PD-1), zone Subarea 17, and is currently being developed with nine (9) buildings. The restaurant is located within a commercial center that is under construction. The uses in the center will consist of restaurants along with retail uses. The site currently has 1,120 parking spaces available for the center and is in compliance with the required number of parking spaces (Exhibit B – Plans & Photographs). The applicant is requesting approval of a Conditional Use Permit to allow the sale of beer and wine for on-site consumption (Alcoholic Beverage Control - License Type 41) in conjunction with a restaurant. The restaurant is allowed by right and is not subject to the approval of a CUP.

In considering a Conditional Use Permit (CUP) application for the sale of beer and wine, staff evaluated the number of existing alcohol licenses in the subject Census Tract (5776.04) in which this restaurant is located, as well as the total number of reported crimes in the subject Police Reporting District. Section 21.52.201 of the Zoning Code requires that a new CUP for alcohol sales not be approved in a reporting district with an over concentration of alcohol sales, as recommended by the California Department of Alcoholic Beverage Control (ABC), and that the use shall not be in a reporting district with a high crime rate as reported by the Long Beach Police Department (LBPD). Pursuant to Section 21.52.100, all special conditions shall be met unless findings of fact can be made to



support the use. The restaurant is not located in a high crime area per LBPD; however, it is an over concentrated district for on-site alcohol sales. In the subject census tract (5776.04), one (1) license for on-site alcohol sales is allowed; there are 26 licenses currently active (Exhibit C - Map of Existing Alcohol Licenses).

The Staff consulted with the LBPD on this application and they expressed no opposition given the fact that there are no residents within 500 feet of this site and security measures such as security cameras and lighting have been incorporated to ensure minimization of any negative impacts associated with the operation of the project. These measures have been included as Conditions #13 and #18. Staff believes that the approval of this CUP application will have minimal impact on the surrounding land uses because the use is not located in a high crime area and because the conditions of approval recommended for the project will require the implementation of a number of operational measures designed to reduce any potential negative effects from the proposed on-site sales of alcohol.

A Local Coastal Development Permit (LCDP) is required whenever a discretionary application is considered within the designated coastal area. Such applications are required to be consistent with the certified Local Coastal Program and not affect any affordable housing. The on-site sales of alcohol are consistent with the non-residential provisions found in the certified Local Coastal Program, which allocate this site to commercial uses. Additionally, no low and moderate-income housing will be removed as a result of this use.

Accordingly, staff recommends that the Planning Commission approve the CUP and LCDP subject to conditions (Exhibit D - Findings & Exhibit E – Conditions of Approval).

### **PUBLIC HEARING NOTICE**

A Notice of Application was sent to the local community groups on June 5, 2019, and 324 public hearing notices were distributed on August 19, 2019, in accordance with the provision of the Zoning Ordinance. At the time of writing this report, staff has received no inquiries on this project.

### **ENVIRONMENTAL REVIEW**

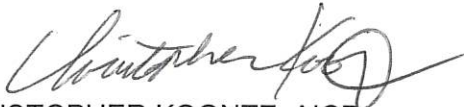
In accordance with the Guidelines for Implementation of the California Environmental Quality Act, the project is exempt per Section 15301 – Existing Facilities Class 1(a), as the project consists of the operation of a restaurant within an existing commercial building (CE19-151).



Respectfully submitted,



BRADLEY BOUNDS II  
PROJECT PLANNER



CHRISTOPHER KOONTZ, AICP  
PLANNING BUREAU MANAGER



ALEXIS OROPEZA  
CURRENT PLANNING OFFICER



LINDA F. TATUM, FAICP  
DIRECTOR OF DEVELOPMENT SERVICES

LT:CK:AO;bb

Attachments:

- Exhibit A – Vicinity Map
- Exhibit B – Plans & Photographs
- Exhibit C – Map of Existing Alcohol Licenses
- Exhibit D – Findings
- Exhibit E – Conditions of Approval

